

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1226 be amended to read as follows:

- 1 Page 13, between lines 9 and 10, begin a new paragraph and insert:
- 2 "SECTION 29. IC 20-3-23 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2005]:
- 5 **Chapter 23. Election of School Board Members in East Chicago**
- 6 **Sec. 1. This chapter applies:**
- 7 **(1) after December 31, 2005; and**
- 8 **(2) to a school corporation located in a city that has a**
- 9 **population of more than thirty-two thousand (32,000) but less**
- 10 **than thirty-two thousand eight hundred (32,800).**
- 11 **Sec. 2. IC 20-4-10.1 does not apply to a school corporation or the**
- 12 **governing body of a school corporation governed by this chapter.**
- 13 **Sec. 3. The governing body of the school corporation consists of**
- 14 **the following members:**
- 15 **(1) Four (4) members elected at large by the registered voters**
- 16 **of the entire school corporation. The members elected under**
- 17 **this subdivision shall be elected on a nonpartisan basis at a**
- 18 **primary election held in the county.**
- 19 **(2) Two (2) members appointed by the mayor of the city.**
- 20 **(3) One (1) member appointed by the city legislative body.**
- 21 **Sec. 4. Upon assuming office and in conducting the business of**
- 22 **the governing body, a member shall represent the interests of the**
- 23 **entire school corporation.**
- 24 **Sec. 5. The following apply to an election of members of the**
- 25 **governing body of the school corporation:**

1 (1) Each candidate must file a petition of nomination with the
2 circuit court clerk not later than seventy-four (74) days before
3 the election at which members are to be elected. The petition
4 of nomination must include the following information:

5 (A) The name of the candidate.

6 (B) The signatures of at least one hundred (100) registered
7 voters residing within the school corporation.

8 (C) A certification that the candidate meets the
9 qualifications for candidacy imposed by this chapter.

10 (2) Only eligible voters residing in the school corporation may
11 vote for a candidate.

12 Sec. 6. The Indiana state board of education, with assistance
13 from the county election board, shall establish balloting procedures
14 under IC 3 for the election and all other procedures required to
15 implement this chapter.

16 Sec. 7. The term of office of each member of the governing body
17 of the school corporation is as follows:

18 (1) For an elected member of the governing body, four (4)
19 years beginning July 1 following the member's election.

20 (2) For an appointed member of the governing body, four (4)
21 years beginning on the date the member's predecessor's term
22 expires.

23 Sec. 8. (a) Two (2) elected members of the governing body of the
24 school corporation shall be elected at the primary election held in
25 each even numbered year.

26 (b) The mayor of the city shall appoint one (1) member of the
27 governing body of the school corporation before July 1 of each even
28 numbered year.

29 (c) The city legislative body shall appoint a member of the
30 governing body of the school corporation before July 1, 2006, and
31 every four (4) years thereafter.

32 Sec. 9. (a) A vacancy in the office of an elected member of the
33 governing body of the school corporation shall be filled temporarily
34 by the governing body as soon as practicable after the vacancy
35 occurs. An individual filling a vacancy under this subsection serves
36 until the expiration of the term of the member whose position the
37 individual fills.

38 (b) A vacancy in the office of an appointed member of the
39 governing body of the school corporation shall be filled by the
40 appointing authority as soon as practicable after the vacancy
41 occurs. An individual filling a vacancy under this subsection serves
42 until the expiration of the term of the member whose position the
43 individual fills.

44 Sec. 10. (a) Before August 1 of each year, the school corporation
45 shall file with the state superintendent of public instruction the
46 following information:

(1) A list containing the names and addresses of each member of the governing body of the school corporation and the date of the expiration of each member's term of office.

(2) A list containing the names and addresses of each of the school corporation's officers and the date of the expiration of each officer's term of office.

(b) The school corporation shall file any change in the information under subsection (a) not later than thirty (30) days after the change occurs."

Page 13, between lines 31 and 32, begin a new paragraph and insert:
"SECTION 31. IC 20-4-10.1-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 0.5. This chapter does not apply to a school corporation or the governing body of a school corporation governed by IC 20-3-23."

Page 25, between lines 26 and 27, begin a new paragraph and insert:
"SECTION 40. [EFFECTIVE JULY 1, 2005] (a) This SECTION applies to a school corporation and the governing body of the school corporation in a city that has a population of more than thirty-two thousand (32,000) but less than thirty-two thousand eight hundred (32,800).

(b) Notwithstanding any other law, the terms of the members of the governing body of the school corporation who hold office on June 30, 2006, expire July 1, 2006.

(c) On July 1, 2006, all powers, duties, and functions adhering to the governing body of the school corporation in existence on June 30, 2006, are transferred to the governing body established by IC 20-3-23, as added by this act.

(d) On July 1, 2006, the property and records of the governing body of the school corporation in existence on June 30, 2006, are transferred to the governing body established by IC 20-3-23, as added by this act.

(e) Notwithstanding IC 20-3-23-8, as added by this act, the four (4) elected members of the governing body of the school corporation shall be elected at the primary election to be held on May 2, 2006. IC 3 and IC 20-3-23, as added by this act, except to the extent those provisions conflict with this SECTION, apply to the election held under this subsection.

(f) Notwithstanding IC 20-3-23-7, as added by this act, the terms of office of the members elected under subsection (e) expire as follows:

(1) The terms of office of the two (2) members who receive the greatest and next greatest numbers of votes in the election expire July 1, 2010.

(2) The terms of office of the two (2) members elected but who are not described in subdivision (1) expire July 1, 2008.

- 1 **(g) The successors of the members described in subsection (f)**
2 **shall be elected as follows:**
3 **(1) The successors of the members described in subsection**
4 **(f)(1) shall each be elected for a four (4) year term at the**
5 **primary election held May 4, 2010, as provided in**
6 **IC 20-3-23-7 and IC 20-3-23-8, both as added by this act.**
7 **(2) The successors of the members described in subsection**
8 **(f)(2) shall each be elected for a four (4) year term at the**
9 **primary election held May 6, 2008, as provided in**
10 **IC 20-3-23-7 and IC 20-3-23-8, both as added by this act.**
11 **(h) This SECTION expires July 1, 2010."**
12 Renumber all SECTIONS consecutively.
(Reference is to HB 1226 as printed February 22, 2005.)

Representative Aguilera